IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 27TH FEBRUARY 2007 / 8TH PHALGUNA 1928

Bail Appl..No. 1291 of 2007()

CRIME NO. 78 OF 2005 OF CHINGAVANAM POLICE STATION

PETITIONER/4TH ACCUSED:

MR.SAJI. V.M., AGED 33 YEARS,
S/O.MOSA, VAZHACHIRA, KUZHIMATTOM P.O.,
KOTTAYAM.

BY ADV. SRI.J.KRISHNAKUMAR

RESPONDENTS:

SUB INSPECTOR OF POLICE,
CHINGAVANAM POLICE STATION, KOTTAYAM,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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Bail Application NO. 1291 of 007

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DATED: 27-02-2007

O R D E R

Petitioner who is the 4th accused in Crime No. 78 of 2005 of Chingavanam Police Station for an offence punishable under Sec. 308 read with Sec. 34 I.P.C. seeks anticipatory bail.

2. Eventhough the learned Public Prosecutor opposed the application, having regard to the fact that the 3rd accused who is similarly situate as the petitioner herein has been granted anticipatory bail by this Court as per order dated 20-5-2005 in B.A. 3149/05, I see no reason why the petitioner should be treated differently.

3. Accordingly, a direction is issued to the officer-in-charge of the police station concerned to release the petitioner on bail for a period of one month in the event of his arrest in connection with the above case on his executing a bond for Rs. 10,000/- (Rupees ten thousand only) with two solvent sureties each for the like amount to the satisfaction to the said officer and subject to the following conditions:

1. Petitioner shall report before the Investigating

Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall make himself available for interrogation as and when required by the Investigating Officer.

3. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

4. Petitioner shall not commit any offence while on bail.

5. Petitioner shall surrender before the Magistrate concerned and seek regular bail in the meanwhile.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR,

JUDGE.

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